

# SUPPLEMENTAL EXHIBIT 1

# JONES DAY

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August 21, 2009

## VIA EMAIL

Peter Klivans, Esq.  
Quinn Emmanuel Urquhart Oliver & Hedges, LLP  
50 California Street, 50<sup>th</sup> Floor  
San Francisco, CA 94111

Re: Sony Corporation v. Vizio, Inc., Case no. 08-01135

Dear Peter,

This letter is in response to the two Joint Stipulations served by Sony on August 17, 2009. We were surprised to receive the stipulations because the parties were not at an impasse on any of the issues addressed in those papers. As set forth below, since Vizio is willing to supplement its discovery responses in question, neither of these stipulations or motions should be finalized or filed with the Court.

Regarding Sony's Motion to Compel a Further Response to Sony's Interrogatory Nos. 11 and 14, Vizio is willing to supplement its responses as follows:

1. Interrogatory No. 11

Although Vizio continues to believe that its current response to this interrogatory is adequate, Vizio will provide a narrative answer to this interrogatory, which will include a chart for its products providing the information that is available to Vizio with respect to the features enumerated in Sony's Interrogatory No. 11. Vizio will provide this answer by September 15, 2009.

2. Interrogatory No. 14

Regarding Interrogatory no. 14, Vizio does not currently possess the information responsive to this interrogatory, but Vizio will request the information sought in this interrogatory from its supplier AmTRAN Technology Co., Ltd. and provide a supplemental response that will include any relevant information about Vizio Product compliance with television standards that Vizio receives from AmTRAN Technology Co., Ltd. Vizio will inform Sony about when it will serve this supplemental answer by August 27, 2009.

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Peter Klivans, Esq.  
August 21, 2009  
Page 2

Regarding Sony's Motion to Compel a Further Response to Sony's Request for Production Nos. 17-23, 24, 68, and 82, as noted above, Vizio is surprised that Sony served its portion of the stipulation relating to this motion, based on the most recent communications between the parties. During the last exchange of correspondence between the parties on this topic, Vizio specifically requested whether Sony still believes Vizio is obligated to seek documents from third parties (e.g., AmTRAN Technologies). To date, Sony has not responded to Vizio's letter. At a minimum, Vizio expected Sony to respond to Vizio's latest correspondence and try to resolve the issue before seeking intervention of the Court. Nevertheless, Vizio is willing to do the following to obviate the issues raised by Sony in its motion to compel on these requests:

1. Technical Documentation in the Possession of AmTRAN Technology Co., Ltd.

Although Vizio does not agree with Sony's on its motion to compel, in an effort to resolve the differences between the parties in a cooperative manner, Vizio will undertake to identify and collect any relevant and responsive additional technical documentation in the possession of AmTRAN Technology Co., Ltd. and produce those materials to Sony. This information will include, if available and in the possession of AmTRAN Technology Co., Ltd., service manuals, engineering specifications and circuit diagrams, chip datasheets, source code and other technical documentation. Vizio will inform Sony about its expected dates of production by August 27, 2009, and will begin such productions no later than September 8, 2009.

2. Communications with Third Parties Like AmTRAN Withheld On A Joint or Common Interest Privilege

Regarding this category of documents, Vizio will provide a privilege log identifying communications between the parties that occurred before the commencement date of this litigation to the extent they have been or are located through searches of non-email databases and/or files. Vizio does not intend to include as part of its log correspondence that occurred after the date of the lawsuit. Also, consistent with the protective order entered by the Court, Vizio reminds Sony that it will not identify attorney-client communications between its clients (e.g., Vizio and AmTRAN) and its litigation counsel, Jones Day, which is consistent with the privilege log Vizio has received from Sony. Vizio expects to be able provide its first installment of its privilege log to Sony by August 28, 2009.

3. Requests to Additional Suppliers

Although this topic has not been properly addressed through the meet and confer process required by the local rules, Vizio is willing to correspond with its additional suppliers requesting

Peter Klivans, Esq.  
August 21, 2009  
Page 3

that each supplier cooperate with Sony in providing the types of technical documents Sony is seeking from AmTRAN in the event that Sony seeks documents relevant to this litigation from those parties. Vizio will send such communications to its suppliers by August 26, 2009.

Accordingly, based on Vizio's commitments described above, Vizio expects Sony to immediately withdraw its portions of the stipulations supporting its two motions to compel. Please confirm by the close of business today that Sony will do so.

If Sony would like to discuss the contents of this letter, we are generally available for a discussion today or Monday.

Regards,

*/s/ Steven J. Corr*

Steven J. Corr